## Nº 55907 ASSIGNED

## APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office	MAR 0 1 1991
Returned to applicant for correction	
Corrected application filed	
Map filed	<b>JUN 1</b> 7 1991 under 55906
Walling Maria da	Mining Comment
••	Mining Company
	te 200 , of Tucson City or Town
Arizona 85704 State and Zip Code No.	, hereby make application for permission to appropriate the public
waters of the State of Nevada, as hereinafter s	stated. (If applicant is a corporation, give date and place of incorporation; if a
copartnership or association, give names of	members.)
Delaware, November 13,	1990
1. The source of the proposed appropriation	on is underground  Name of stream, lake, spring, underground or other source
	5.0second-feet One second-foot equals 448.83 gals. per min.
· ·	of acre-feet
3. The water to be used for	Mining, Milling and Domestic rrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.
4. If use is for:	
(a) Irrigation, state number of acres to b	be irrigated
(b) Stockwater, state number and kinds	of animals to be watered
(c) Other use (describe fully under "No	o. 12. Remarks'')
(d) Power:	•
(1) Horsepower developed	
(2) Point of return of water to stream	ım
5. The water is to be diverted from its sou	arce at the following point NW4 SE4, Section 26, T.17N. R.61E.
MDDOM at a point from which	Describe as being within a 40-acre subdivision of public the NE corner of Section 3, T.16N., R.62E MDB&M bear tron unsurveyed land, it should be so stated to ce of 29,758.94 feet.
	3,24,25 and 26 T.16N., R.61E., Sections 2 thru 22,29 scribe by legal subdivision. If on unsurveyed land, it should be so stated.
	scribe by legal subdivision. If on unsurveyed land, it should be so stated. tions 7,17,18,19 and 20 T.16N., R.63E., and Section
33 T.17N., R.62E., MDB&M	
	· · · · · · · · · · · · · · · · · · ·
7. Use will begin about January 1  Month and Day	and end about December 31 , of each year.
8. Description of proposed works. (Under	er the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or stora	age works.) drill well, install pump and convey  State manner in which water is to be diverted, i.e. diversion structure, ditches and
to place of use through pipe	eline system
9. Estimated cost of works \$100,000	* ***

11. Estimated time required to complete the application of water to beneficial use. 5 years  12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.  Water will be used in mining and milling operations  By S/Alex Acosta Alex Acosta, Magma Proceed. 7/12/91 by: City of Ely,8/23/91 by, U.S. Dep. of the Interior, Nat'l, Park Sear Force and A. Robison for Mogill Nuth Combonidated Swer's Water Gen. Improv. 1  APPROVAL. OF STATE ENGINEER  This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:  Same and the search in the same of the following limitations and conditions:  Same and to beneficial use. It is also understood that this right must called water livel. This well shall be equipped with a on (2) inch opening for measuring depth to water. If the well is flowing, a value as the installed and maintained to prevent waste. A totalizing meter must be stalled and maintained in the discharge pipeline near the point of diversion and curate measurements must be kept of water place to beneficial use. The totalizing meter must be installed before any use of water heighn, or before the Proce of miletion of Work is filled. This source is located within an area designated the State Engineer, pursuant to MRS 534.030. The State retains the right to guilate the use of the water herein granted at any and all times.  This Permit does not extend the permittee the right of ingress and egress on bilde, private or corporate lands.  CONTINUED ON PAGE 2)  The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.  Sue feet Annually.  Work must be prosecuted with reasonable diligence and be completed on or before.  November 26, 1996.  Map in support of proof of beneficial use shall be filed on or before.  November 26, 1996.  November 26, 1996.  November 26, 1996.	10.	Estimated time required to construct works.  Syears  If well completed, describe works.
By S/Alex Acosta  Alex Acosta, Magma P.O. Box M  Sam Manuel, Arizona 85631  Fortested 7/12/91 by: City of Ely;8/23/91 by; U.S. Dep. of the Interior, Nat'l, Park Ser Loran A. Robison for Megill Ruth Consolidated Sower & Water Gen. Improv. It  APPROVAL OF STATE ENGINEER  This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: This permit is issued subject to existing rights. It is understood that the count of water herein granted is only a temporary allowance and that the final water quit chicained under this permit will be dependent upon the amount of water actually aced to beneficial use. It is also understood that this right must allow for a sponsable lowering of the static water lavel. This well is flowing, a valve at be installed and maintained to prevent waste. A totalizing meter must be stalled and maintained in the discharge pipeline near the point of diversion and curate measurements must be kept of water place to beneficial use. The totalizing ter must be installed before any use of water begins, or before the broof of molecular master waste. A totalizing near mast be stalled and maintained in the discharge pipeline near the point of diversion and curate measurements must be kept of water place to beneficial use. The totalizing ter must be installed before any use of water begins, or before the broof of molecular to work is filled. This source is located within an area designated the State Engineer, pursuant to NBS 534.030. The State retains the right to gulate the use of the water herein granted at any and all times.  This Permit does not extend the permittes the right of ingress and egress on blic, private or corporate lands.  ONTINUED ON PAGE 2)  The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed	11.	Estimated time required to complete the application of water to beneficial use 5 years
By S/Alex Acosta Magma Compared bc/bc pm/se P.0. Box Manuel, Arizona 85631 Protested 7/12/91 by: City of Ely;8/23/91 by; U.S. Dep. of the Interior, Nat'l, Park Ser Co., wdr. 10/28/91  APPROVAL OF STATE ENGINEER  This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: issued subject to existing rights. It is understood that the ount of water herein granted is only a temperary allowance and that the final water ght obtained under this permit will be dependent upon the amount of water actually acced to beneficial use. It is also understood that this right must allow for a saconable lowering of the static water level. This well shall be equipped with a oc (2) inch opening for measuring depth to water. If the well is flowing, a valve at the installed and maintained to prevent waste. A totalizing neter must be stalled and maintained in the discharge pipeline near the point of diversion and curate measurements must be kept of water place to beneficial use. The totalizing ter must be installed before any use of water begins, or before the Proof of majetion of Work is filed. This source is located within an area designated the State Engineer, pursuant to NRS 534.030. The State retains the right to guilate the use of the water herein granted at any and all times.  This Permit does not extend the permittee the right of ingress and egress on blic, private or corporate lands.  ONTINUED ON PAGE 2)  The amount of water to be appropristed shall be limited to the amount which can be applied to beneficial use, and not to exceed.  5.00	12.	
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exceed 5.0 cubic feet per second, but not to exceed 3.620  Pre-feet annually.  Work must be prosecuted with reasonable diligence and be completed on or before November 26. 1993  Proof of completion of work shall be filed on or before December 26. 1996  Application of water to beneficial use shall be made on or before November 26. 1996  Proof of the application of water to beneficial use shall be filed on or before December 26. 1996  Map in support of proof of beneficial use shall be filed on or before N/A  Completion of work filed IN TESTIMONY WHEREOF, I.R. MICHAEL TURNIPSEED, P.E. State Engineer of Nevada, have hercunto set my hand and the seal of my Proof of beneficial use filed  Office, this 26th day of November  A.D. 19.91		
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Cultural map filed		State Engineer of Nevada, have hercunto set my hand and the seal of my
A.D. 1991		office, this <u>26th</u> day of <u>November</u> ,
		A.D. 1991
,		m (OLSIIA (Bev.)

Page 2 55907

## (PERMIT TERMS CONTINUED)

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

The total combined duty of Permits 43378, 43379, 43380, 43381, 55906, 55907, 55908, 55909, 55910, 55911, 55912, 55913, 55914 and 55915 shall not exceed 13,204 acre-feet annually.

The permittee shall comply with the monitoring plan approved by the State Engineer which will be subject to revision upon review of the data generated.

The data and analysis of the data shall be submitted to the State Engineer on a monthly basis, subject to any revision of the frequency of the data collected.

This permit is issued subject to the conditions set forth in the withdrawal of the City of Ely's protest dated October 28, 1991.

